

REMARKS

[01] This amendment cancels the claims that were allowed in the final office action of the parent application and restores the remaining claims to their form at the time of the final rejection. New Claim 19 has been added to further define the present invention.

[02] In the parent application, Claims 1-10, 17, and 18 were rejected as obvious given U.S. Patent No. U.S. Patent No. 6,392,131 to Boyer, "Boyer" herein, modified in accordance with the teachings of U.S. Patent No. 5,415,071 to Davies, "Davies" herein. More specifically, the Final Office Action referred to Davies, Col. 7, lines 17-32, which relates to a guitar-like instrument shown in Davies FIGS. 10 and 13. These rejections as applied to the claims in the present application are traversed.

[03] All pending claims require triggering of a triad at a convergence point for three note triggers. Neither reference relied on for rejection the claims discloses such a limitation, so combining the references cannot yield the present invention as defined in Claim 1.

[04] Boyer teaches away from triad triggering at convergence points as Boyer's button frames (106, FIG. 8) preclude the claimed method of playing triads. Accordingly, the Final Office Action looked elsewhere to find this limitation disclosed. However, the Final Office Action erroneously asserted that Davies disclosed the Claim 1 limitation.

[05] Davies, in the passage cited in the Final Office Action, describes an electric 7-string with slanting frets to accommodate a staggered arrangement of notes. Davies teaches that the disclosed staggered arrangement of notes allow a guitar player to "hold down" a major triad with one finger.

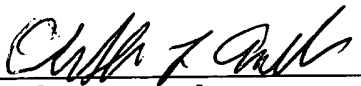
[06] Davies' guitar does not even have note triggers as such—as the triggers are strings that can play different notes depending on fingering on the fretboard. As anyone familiar with guitar playing technique would know, “holding down” is not the same as “triggering” (which is normally done by the hand not doing the holding down). Also, as the notes being “held down” are segments on generally parallel strings, the required convergence points are not present in Davies. Hence, Davies does not disclose triggering triads at convergence points. More generally, it would not be obvious to apply a guitar-playing technique to a keyboard instrument such as that disclosed by Boyer. Hence the obviousness rejection fails as applied to all pending claims.

[07] Note that if the Examiner persists in rejecting the claims based on a combination of Boyer and Davies, Applicants would like to know whether the projected result of the combined teachings is a guitar-like instrument (as Davies discloses) or an array keyboard (as Boyer discloses).

[08] CONCLUSION

[09] Since neither reference relied on in rejecting the claims discloses a crucial limitation in all claims, the rejection should be withdrawn. Therefore, it is respectfully submitted that all claims are in condition for allowance, which allowance is respectfully requested.

Respectfully submitted


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Replacement paragraphs for page 1 (after the title, before subtitle "BACKGROUND OF THE INVENTION").

CROSSS REFERENCE TO RELATED APPLICATIONS

This is a divisional of copending U.S. Patent Application Serial Number 10/142,223, filed May 9, 2002, which is incorporated by reference herein in its entirety.